IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5379 OF 2005

Malaniswamy Muttuswamy Harijan ...Applicant

Versus

The State of Maharashtra & Anr ...Respondents

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Ms. Mallika Ingale, Advocate for Applicant

Ms. Vaijayanti Kalekar, Adv.for Respondent No.2

Mr. R.S. Khadapkar, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 25TH AUGUST, 2005

P. C.:-

1. Heard the learned advocate for the applicant, the learned advocate for the respondent No.2 i.e. original complainant and the learned A.P.P. for the State. The complainant is present in person before this Court.

2. The applicant is seeking quashing of F.I.R. No. 23 of 2005 of Malad police station. The said case is under Section 363 of I.P.C.

3. The complainant has stated that his daughter is married to the applicant and he himself, his daughter and the applicant have settled the dispute among

themselves and on account of the marriage of his daughter with the applicant and the fact that the matter has been amicably settled between the parties, he does not wish to pursue his complaint. The complainant has filed an affidavit which is taken on record and marked as Exh."X" for identification. In the said affidavit also, he has prayed that the F.I.R. be quashed.

4. Looking to the fact that the dispute between the parties has been amicably settled and in order to maintain peace and amicable relations between the parties and in the area and looking to the fact that the complainant does not wish to pursue his complaint, I am of the opinion that no purpose would be achieved by continuing with the prosecution relating to F.I.R. No.23 of 2005. Hence, the F.I.R. No. 23 of 2005 of Malad police station and the proceedings relating thereto are quashed.

5. Application is allowed in the above terms.

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